

REMARKS

Of original claims 1-106, claims 1-7 and 27-106 have been cancelled. Claim 16 has been amended. Claims 8-26 are currently pending.

In a separate paper, a request for a one-month extension of time for which to respond to this Restriction Requirement has been submitted. Applicant does not believe that any additional fees are due at this time. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct such fees from Locke Liddell & Sapp LLP Deposit Account No. 12-1322, referencing matter number 021902-139US.

Restriction requirement

The Examiner required restriction under 35 U.S.C. § 121 and § 372 to:

Group I: Claims 1-7, drawn to a food waste disposer with a grinding section comprising a stationary ring and a movable lug attached to a rotatable plate;

Group II: Claims 8-26, drawn to a food waste disposer with a stationary plate disposed adjacent a rotatable member;

Group III: Claims 27-44, drawn to a food waste disposer with a grinding section comprising a stationary plate;

Group IV: Claims 45-48, drawn to a food waste disposer with a grinding section with a first means coupled to a rotational source for impacting food waste;

Group V: Claims 49-57, drawn to a food waste disposer with at least one cutting element mounted in the housing;

Group VI: Claims 58-70, drawn to a food waste disposer with at least one cutting element mounted on the rotatable plate;

Group VII: Claims 71-85, drawn to a food waste disposer with a first motor and a second motor;

Group VIII: Claims 86-95, drawn to a food waste disposer with a lug continuously rotating; or

Group IX: Claims 96-106, drawn to a food waste disposer with a first hub and a second hub.

Regardless of whether the identification of species presented by the Examiner is correct, and regardless of whether an election of species is appropriate in this matter, Applicant hereby elects to continue prosecution of Group II, claims 8-26 in this application. The non-elected claims have been cancelled from this application. Applicant reserves the right to prosecute the non-elected claims in one or more related patent applications.

No change in inventive entity is believed due at this time.

The Examiner is encouraged to call the undersigned should any further action be required for allowance.

Respectfully submitted,



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